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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, Washington 98101

**AMENDED ACTION MEMORANDUM FOR REMOVAL ACTIONS**  
**WITH COST CEILING LESS THAN \$50,000**

**FINDINGS OF IMMINENT AND SUBSTANTIAL ENDANGERMENT**

**MCCORMICK AND BAXTER CREOSOTING SITE**

Based on the factors listed below, I have determined that an imminent and substantial endangerment to the public health or welfare, and or the environment exists because of an actual or threatened release of a hazardous substance at or from the site/incident.

**I. SITE INFORMATION**

Site Name: McCormick and Baxter Creosoting Site

Site Number: ORD009020603

Site Location: Portland, Oregon

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Potentially Responsible Party

Name: McCormick and Baxter Company  
Address: Company is bankrupt, no address or telephone number  
Telephone: NA

Access:        Restricted   X   Unrestricted (see below)  
NPL Status: Listed final on the NPL on June 1, 1994  
Removal Starting date: March ?, 1994

**II. THREAT TO THE PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT**

**A. Site Background**

On February 8 and 9, 1996, the Oregon Department of Environmental Quality, (DEQ) notified EPA that a series of land slides, caused by heavy rain, destroyed approximately 100 yards of the site fence. Large amounts of soil and debris have covered this area of the fence. Large quantities of soil and debris and have also covered and damaged or destroyed the decontamination pad used to decontaminate trucks used for hauling hazardous waste off-site for disposal. In addition, freeze/thaw conditions which occurred just prior to the heavy rains (February 2, 1995) caused severe damage to the plumbing for the ground water extraction/treatment system (all PVC piping cracked and burst). The extraction/treatment system is shutdown until repairs can be made.

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## B. Hazardous Substances Present

Hazardous substances present in site soils include high levels of polycyclic aromatic hydrocarbons (PAHs), pentachlorophenol (PCP), arsenic, dibenzo-p-dioxins and dibenzofurans (PCDDs/PCDFs). Hazardous substances in groundwater include PAHs, PCP, PCDDs/PCDFs, carrier oils and metals. See attached Action Memorandum for further details on site conditions.

## C. Nature of Actual or Threatened Release of Hazardous Substances

The Remedial Investigation Report (1992) documented the release of contaminants to on-site soil, groundwater and sediments in the Willamette River. Contaminants are chemicals used in the wood preserving industry, including PAHs (comprised of about 85% creosote constituents), PCP, arsenic, metals (arsenic, chromium, copper and zinc). PCDDs/PCDFs, which are trace constituents of PCP, were also found on-site.

Check applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action:

☒ Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)].

☐ Actual or potential contamination of a drinking water supply or sensitive ecosystems [300.415(b)(2)(ii)].

☐ Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)].

☒ High levels of hazardous substances or pollutants in soils [300.415(b)(2)(iv)].

☐ Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(v)].

☐ Threat of fire or explosion [300.415(b)(2)(v)].

☒ The availability of other appropriate Federal or State response mechanisms to respond to the release [300.415(b)(2)(vii)].

☐ Other situations or factors that may pose threats to the public health or welfare or the environment.

☐ PRP Unknown.

☐ PRP given opportunity to conduct removal and has declined.

☒ The PRP is bankrupt and has no resources to conduct this action.

## III. SELECTED REMOVAL ACTION

The removal action would be conducted by DEQ under an existing Cooperative Agreement for the removal actions described

in the attachment to this memo). The actions described below consist of additions to the existing removal action, which began March 31, 1995. The existing budget does not contain sufficient funding to cover the actions described below.

The selected removal action includes replacement of the damaged and/or destroyed PVC pipes, fence and decontamination pad, and for moving and stockpiling landslide material (soil and debris) for removal at a later date. Soil and debris will be stockpiled for future removal pursuant to the Remedial Action for this site, currently scheduled to begin during the summer/fall of 1996.

#### IV. ESTIMATED COSTS

DEQ Oversight costs	\$2,000
Contractor Costs	\$20,000
Contingency costs (15%)	\$3,300
Subtotal, extramural costs	\$25,300
Intramural Costs	
direct	\$500
Indirect	\$750
Total, Removal Project Ceiling	\$25,550

Conditions at this site meet the NCP section 300.415(b)(2) criteria for a removal action. The finding of imminent endangerment has been entered into the administrative record for this site or incident.

Prepared by *Shirah J. Yamamoto*  
Remedial Project Manager

#### APPROVAL

\_\_\_\_\_  
(signature)

Randall F. Smith

\_\_\_\_\_  
(typed/printed name)

\_\_\_\_\_  
Director, Office of Environmental Cleanup

\_\_\_\_\_  
(date)